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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dimitri Azar
 Serial No. : 10/627,943
 Filed : July 25, 2003
 Title : VISION PROSTHESIS

Art Unit : 3738
 Examiner : William H. Matthews

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), MASSACHUSETTS EYE & EAR INFIRMARY, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the patent application referenced above. The assignment was recorded in the Patent and Trademark Office at Reel 012070 Frame 0715 on August 10, 2001. MASSACHUSETTS EYE & EAR INFIRMARY also certifies that it is the assignee of U.S. Patent No. 6,638,304.

The undersigned has reviewed all the documents in the chain of title of the above-referenced application and to the best of undersigned's knowledge and belief, title is in MASSACHUSETTS EYE & EAR INFIRMARY.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee referenced above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,638,304.

The assignee referenced above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

11-8-05
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